

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
NEAR INFRARED CHEMICAL IMAGING MICROSCOPE

_____, the
specification of which (check one):

_____ is attached hereto
☒ was filed on October 12, 2001 as Application Serial No. 09/976,391
_____ and was amended on _____, if applicable

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed			
(Number)	(County)	(Date/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/239,969</u>	<u>10/13/2000</u>	<u>pending</u>
(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Lynn J. Alstadt, Reg. No. 29,362; Jose J. Aparicio, Reg. No. 48,837; George P. Baier, Reg. No. 26,717; Dennis M. Carleton, Reg. No. 40,938; Craig G. Cochenour, Reg. No. 33,666; Michael L. Dever, Reg. No. 32,216; John E. Grosselin, III, Reg. No. 38,478; Bryan H. Opalko, Reg. No. 40,751; Michael G. Panian, Reg. No. 32,623; and Carla J. Vrsansky, Reg. No. 36,958.

Address all telephone calls to Michael L. Dever, Esquire

Address all correspondence to Buchanan Ingersoll Professional Corporation
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, Pennsylvania 15219-1410
412-562- 1637

030687

This copy of the declaration is
intended for the attached
application submitted herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Patrick J. Treado
Inventor's Signature *Patrick J. Treado* Date 12/11/01
Residence Pittsburgh, Pennsylvania Citizenship United States
Post Office Address 315 S. Lexington Ave., Pittsburgh, PA 15208

Full name of second joint inventor Matthew Nelson
Inventor's Signature *Matthew Nelson* Date _____
Residence Pittsburgh, Pennsylvania Citizenship United States
Post Office Address 3941 Dowling Avenue, Pittsburgh, PA 15221

Full name of third joint inventor Scott Keitzer
Inventor's Signature *Scott Keitzer* Date 12/11/01
Residence Export, Pennsylvania Citizenship United States
Post Office Address 207 Lockwood Road, Export, Pennsylvania 15632

Full name of fourth joint inventor _____
Inventor's Signature _____ Date _____
Residence _____ Citizenship _____
Post Office Address _____

Full name of fifth joint inventor _____
Inventor's Signature _____ Date _____
Residence _____ Citizenship _____
Post Office Address _____



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



700063882

FEBRUARY 04, 2004

PTAS

BUCHANAN INGERSOLL, P.C.
DUANE A. STEWART III
301 GRANT STREET
20TH FLOOR
PITTSBURGH, PA 15219

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/03/2004

REEL/FRAME: 014302/0906
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KEITZER, SCOTT

DOC DATE: 01/26/2004

ASSIGNOR:

TREADO, PATRICK J.

DOC DATE: 01/14/2004

ASSIGNOR:

NELSON, MATTHEW

DOC DATE: 01/12/2004

ASSIGNEE:

CHEMIMAGE CORPORATION
7301 PENN AVENUE
PITTSBURGH, PENNSYLVANIA 15208

SERIAL NUMBER: 09976391

FILING DATE: 10/12/2001

PATENT NUMBER:

ISSUE DATE:

OPR/ASSIGNMENTS

2/4/04 3:47 PAGE 3/6 RightFAX

014302/0906 PAGE 2

SAUNDRA BALLENGER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

02/03/2004
700063882

FORM PTO-1619A
October 2003 Edition
USPTO 0881-0029

U.S. Department of Commerce
Patent and Trademark Office
PATENT

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PATENTS ONLY**

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☐ U.S. Governmental
(For Use ONLY by U.S. Government Agencies)

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Conveying Party(ies) ☒ Mark if additional names of conveying parties attached

Name (line 1) Patrick J. Yreado Expiration Date
Month Day Year
01 14 04

Name (line 2) _____

Second Party

Name (line 1) Matthew Nelson Expiration Date
Month Day Year
01 12 04

Name (line 2) _____

Receiving Party ☐ Mark if additional names of receiving parties attached

Name (line 1) ChenImage Corporation ☐ If document to be recorded
is an assignment and the
receiving party is not
domiciled in the United
States, an appointment
of a domestic
representative is attached.
(Designation must be a
separate document from
Assignment.)

Name (line 2) _____

Address (line 1) 7301 Penn Avenue

Address (line 2) _____

Address (line 3) Pittsburgh Pennsylvania 15208
City State Zip+4

Domestic Representative Name and Address Enter for the first Receiving Party only.

Name _____

Address (line 1) _____

Address (line 2) _____

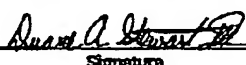
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Mail documents to be recorded with required cover sheet(s) information to:
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FORM PTO-1619B Rev. 02/03 CDS 02/03/02		Page 2		U.S. Department of Commerce Patent and Trademark Office PATENT	
Correspondent Name and Address				Area Code and Telephone Number 412-562-1622	
Name Duane A. Stewart III					
Address (line 1) Buchanan Ingersoll, P.C.					
Address (line 2) 301 Grant Street, 20th Floor					
Address (line 3) Pittsburgh, PA 15219					
Address (line 4)					
Pages Enter the total number of pages of the attached conveyance document including any attachments. # 2					
Application Number(s) or Patent Number(s) <input type="checkbox"/> Mark if additional numbers attached					
Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).					
Patent Application Number(s)					
Patent Number(s)					
If this document is being filed together with a U.S. Patent Application, enter the date the patent application was signed by the first named inventing inventor. Month Day Year					
Patent Cooperation Treaty (PCT)					
Enter PCT application number only if a U.S. Application Number has not been assigned.					
PCT <input type="text"/> PCT <input type="text"/> PCT <input type="text"/>					
PCT <input type="text"/> PCT <input type="text"/> PCT <input type="text"/>					
Number of Properties Enter the total number of properties involved. # 1					
Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00					
Method of Payment: Enclosed <input type="checkbox"/> Deposit Account <input checked="" type="checkbox"/>					
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)					
Deposit Account Number: # 02-4553					
Authorization to charge additional fees: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
Statement and Signature					
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.					
Duane A. Stewart III				February 3, 2004	
Name of Person Signing		Signature		Date	

FORM PTO-1619C <small>October 2003 Edition</small>	RECORDATION FORM COVER SHEET CONTINUATION PATENTS ONLY	<small>U.S. Department of Commerce Patent and Trademark Office</small> PATENT																																				
Conveying Party(ies) <input type="checkbox"/> Mark if additional names of conveying parties attached																																						
Enter additional Conveying Parties		Execution Date Month Day Year																																				
Name (line 1)	<u>Scott Keltzer</u>	01 26 04																																				
Name (line 2)																																						
Name (line 3)		Execution Date Month Day Year																																				
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Name (line 1)		<input type="checkbox"/> If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be in a separate document from Assignment.)																																				
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<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="3">Patent Application Number(s)</th><th colspan="3">Patent Number(s)</th></tr></thead><tbody><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></tbody></table>			Patent Application Number(s)			Patent Number(s)																																
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ASSIGNMENT

WHEREAS, We, Patrick J. Treado, Matthew Nelson and Scott Keitzer, residing at Allegheny County, Pittsburgh, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; and Westmoreland County, Export, Pennsylvania respectively, have invented certain new and useful apparatus, inventions, discoveries and/or improvements disclosed in a U.S. patent application entitled "Near Infrared Chemical Imaging Microscope" for which an application for United States Letters Patent was filed in the United States Patent and Trademark Office on October 12, 2001 bearing Serial No. 09/976,391;

AND WHEREAS, ChemImage Corporation, having a place of business at 7301 Penn Avenue, Pittsburgh, Pennsylvania 15208 (hereinafter the "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the apparatus, inventions, discoveries, and improvements therein disclosed;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to us by said Assignee, receipt whereof we hereby acknowledge, we do hereby assign, sell, transfer, and set over unto said Assignee the entire right, title, and interest in and to said application and the apparatus, inventions, discoveries and improvements therein disclosed for the United States and all foreign countries and any Letters Patent which may issue therefor in the United States and all foreign countries and all divisions, reissues, continuations, renewals, and/or extensions thereof, including all priority rights under the International Convention associated therewith for each country and the United States, said Assignee to have and to hold the interests herein assigned to the full ends of the terms of said Letters Patent and any and all divisions, reissues, continuations, renewals, and/or extensions thereof, respectively, as fully and entirely as the same would have been held and enjoyed by us had this Assignment not been made.

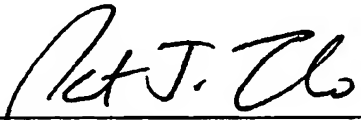
The Commissioner of Patents and Trademarks is requested to issue such Letters Patent in accordance herewith. We covenant that we are the lawful owners of the said application, apparatus, inventions, discoveries and improvements, that the same are unencumbered, that no license has been granted to make, use, or vend the said apparatus, inventions, discoveries or improvements or any of them, and that we have the full right to make this Assignment.

And for said consideration, we agree jointly and individually that we will communicate to said Assignee or the representatives thereof any facts known to us respecting said apparatus, inventions, discoveries and improvements, and will, upon request, but without expense to us, testify in any legal proceedings, sign all lawful papers, execute all divisional, reissue, continuation, renewal, and/or extension applications, make all rightful oaths, and generally do all other and further lawful acts, deemed necessary or expedient by said Assignee or by counsel for said Assignee, to assist or enable said Assignee to obtain and enforce full benefits from the rights and interests herein assigned, and, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the undersigned in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. This Assignment shall be binding upon our heirs,

executors, administrators, and/or assigns, and shall inure to the benefit of the heirs, executors, administrators, successors, and/or assigns, as the case may be, of said Assignee.


And for said consideration, the undersigned hereby agrees to execute, at the request of said Assignee, all documents in connection with any application for foreign letters patent therefor.

Executed: 1/14/04



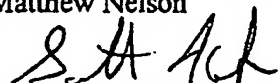
Patrick J. Treado

Executed: 1-12-04



Matthew Nelson

Executed: 1/26/04



Scott Keitzer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 030687

Group Art Unit: 2877 :
:
Examiner: Layla G. Lauchman :
:
Applicant: TREADO et al. :
:
Serial No.: Pending :
:
Filing Date: February 5, 2004 :
:
Title: NEAR INFRARED CHEMICAL IMAGING MICROSCOPE
(Continuation of Serial No. 09/976,391)

ASSOCIATE POWER OF ATTORNEY

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As an attorney of record in the above-referenced patent application, I hereby appoint, pursuant to 37 C.F.R. § 1.34(b), the following attorney as my associate to prosecute and to transact all business in the Patent and Trademark Office connected therewith: Duane A. Stewart III, Registration No. 54,468 of the firm of Buchanan Ingersoll PC.

Respectfully Submitted,



Michael L. Dever
Registration No. 32,216
BUCHANAN INGERSOLL PC
One Oxford Centre, 21st Floor
Pittsburgh, PA 15219
(412) 562-1637